

REMARKS

The Office action of July 12, 201, has been carefully considered.

Claims 5-14, 19 and 20 have been rejected under 35 USC 112, second paragraph, as being indefinite.

In Claims 5 and 9, the recitation regarding the filter means being disposed at a level such as filter surfaces available which is not contaminated is alleged to be unclear. These claims have now been amended to recite that the filter container has a defined height, with the filter material running over the entire height of the filter container. The inlet chamber receives particles which fall from the filter material and oil from the crankcase to a defined depth. The claims now recite that a portion of the filter material extending from the defined depth to the upper end of the filter container presents filter surface which is not contaminated by oil in the filter container. This is believed to be a clear definition of the concept presented.

The Office action alleges that the terms "the oil outlet" and "the liquid outlet" lack antecedent basis.

Applicant notes that the term "the oil outlet" is not used in the claims. The term "the liquid outlet" is defined at line 8 of Claim 5 as currently amended, and at line 9 of Claim 9 as currently amended.

Withdrawal of this rejection is requested.

Claims 5-12 have been rejected under 35 USC 103(a) over Shureb in view of Henrichsen et al and Pearce et al. The Office action alleges that Shureb shows the invention with the exception of the fibrous material of the filter comprising needled or thermally bonded fibers. Henrichsen et al and Pearce et al have been cited to show this aspect of the invention.

The claims as amended clearly distinguish over Shureb.

While Shureb includes a filter, the filter does not extend over the entire height of the filter container, as can be clearly seen in Figure 6. Indeed, the filter is located only in the upper portion of the filter container, and it is unlikely that oil or particles received by the filter device of Shureb will actually contact the filter as they do according to the invention, in which the filter material runs over the entire height of the filter container and the inlet chamber receives particles which fall from the filter material and oil from the crankcase to a defined dept.

Thus, the combination of Shureb with Henrichsen et al and Pearce et al does not make the claimed invention obvious, and withdrawal of this rejection is requested.

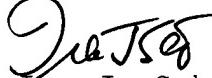
Claims 5-14, 19 and 20 have been rejected under 35 USC 103(a) over Julazadeh in view of Henrichsen et al and Pearce et al. Julazadeh is alleged to show the invention with the exception of the fibrous material of the filter comprising needled or thermally bonded fibers, and Henrichsen et al and Pearce et al have been cited to show this aspect of the invention.

Julazadeh does disclose a cylindrical filter for receiving crankcase fumes having blow-by gas and oil mist. The filter does not, however, extend over the entire height of the filter container, and receives only oil mist which is removed from the filter material by rotation of the cylinder. Since the filter container receives an oil mist, presumably all of the surface of the filter material becomes contaminated, and the oil must therefore be removed by rotation of the filter cylinder. This is contrary to the claimed invention, in which the filter material extends over the entire height of the filter chamber, and the liquid oil extends only to a defined depth within the filter chamber, leaving a portion of the filter surface uncontaminated.

Withdrawal of this rejection is requested.

In view of the foregoing amendments and remarks, Applicants submit that the present application is now in condition for allowance. An early allowance of the application is earnestly solicited.

Respectfully submitted,



Ira J. Schultz
Registration No. 28666
Attorney for Applicant
(703) 837-9600, ext. 23

Dennison, Schultz & MacDonald
1727 King St., Suite 105
Alexandria, VA 22314